

THIS OPINION WAS NOT WRITTEN FOR PUBLICATION

The opinion in support of the decision being entered today (1) was **not** written for publication in a law journal and (2) is **not** binding precedent of the Board.

Paper No. 18

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte FREDERICK FRANK KAZMIERCZAK

Appeal No. 2002-1477
Application No. 09/544,849

REMANDING TO EXAMINER

An Examiner's Answer was entered into the record on October 1, 2001 (Paper No. 15). On Page 2 of the Examiner's Answer, the examiner cites "Japanese patent abstract of 3-242857, by Nishimura, 10-1991" as prior art. The record, however, does not contain a complete English language translation of the JP403242857A reference.

Accordingly, it is

ORDERED that the application be remanded to the examiner for obtaining a complete English language translation of the JP403242857A reference, and for any further action as may be appropriate.

It is important that the Board of Patent Appeals and Interferences be informed promptly of any action affecting the appeal (i.e., abandonment, issue, reopening prosecution).

BOARD OF PATENT APPEALS
AND INFERENCES

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